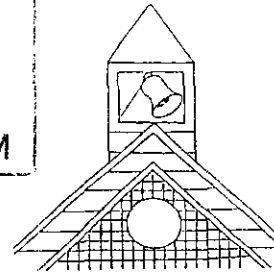
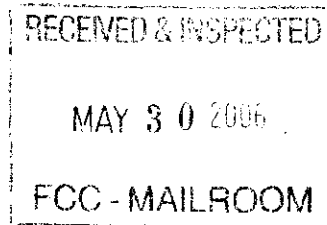


Ripton Elementary School
PO Box 155
753 Lincoln Rd.
Ripton, VT 05766
802-388-2208
Jane Phinney, Principal
jphinney@acsu.k12.vt.us



02-6

May 22, 2006

Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Room TW-A325
Washington, DC 20554

DOCKET FILE COPY ORIGINAL

Request for Review

Dear FCC,

I am not sending this appeal within 60 days of the letter of denial for funding from SLD because I had no awareness of another step to take in appealing our case. I was directed by the SLD help line to the website to review the steps for appealing directly to the FCC. I made the decision to go ahead and try for a review anyway as it never hurts to try.

We were denied funding (see the attached copy of a letter from the SLD) because SLD never received our letter of certification. Shortly after I mailed the letter of certification by regular mail (not receipt requested because I didn't realize that that was the recommendation) our postmaster was dismissed for being careless with mail. In fact, many people in our tiny town of 350 had lost checks and mail. Turns out, the certification letter was lost. I have nothing to prove that I sent the letter by regular mail except my own notes on my form noting the date that I mailed the letter.

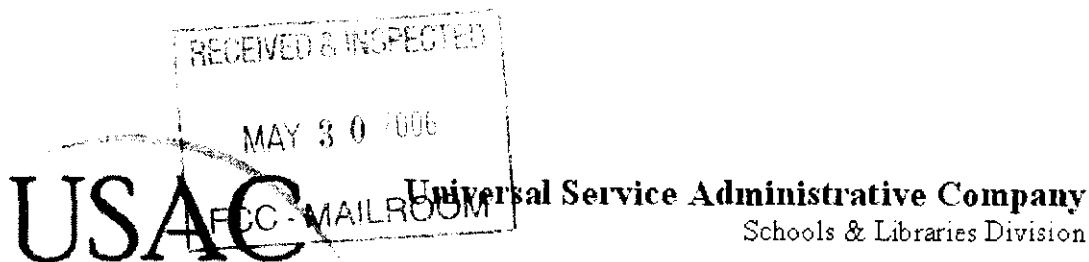
I have been applying for erate reimbursement for our small rural school (70 students PreK-6, 35% FRL) for 9 years. I have never had a problem except for some incorrect dates during those 9 years. This situation stems not from fraud or mis use of public funds, but a reliance on a small rural post office (located in the local general store!). Our school budget is just under \$500,000 and for us to pay out \$4300 for internet connection without reimbursement is a significant setback. We are exactly the kind of institution for which erate reimbursement was designed.

I hope you will consider reviewing our case and deciding in our favor for reimbursement for the 2005-2006 school year.

Sincerely,

Jane B. Phinney
Jane B. Phinney, Principal

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List ABCDE



Administrator's Decision on Appeal – Funding Year 2005-2006

December 28, 2005

Jane B. Phinney
Ripton Elementary School
P.O. Box 155
735 Lincoln Road
Ripton, VT 05766

Re: Applicant Name: RIPTON ELEMENTARY SCHOOL
Billed Entity Number: 4982
Form 471 Application Number: 456791
Funding Request Number(s): 1254419, 1254460
Your Correspondence Dated: November 07, 2005

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of SLD's Funding Year 2005 Funding Commitment Decision Letter for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 1254419, 1254460
Decision on Appeal: **Denied**
Explanation:

- On appeal, you seek reversal of the SLD's decision to deny this application because the FRNs reference a Form 470 that has not been certified. In support of your appeal, you confirm that you have no proof that Form 470 #396860000528870's certification was sent via regular mail to SLD on January 4, 2005, but conclude that the certification must have gotten lost in the mail.
- Upon review of the appeal letter, the relevant facts and documentation, it was determined that the Form 470 cited on your Form 471 application was not certified. You acknowledge that the certification was sent by regular mail and there is no proof of mailing. SLD can not certify a Form 470 without proof that the certification was postmarked within the filing window. It is the responsibility

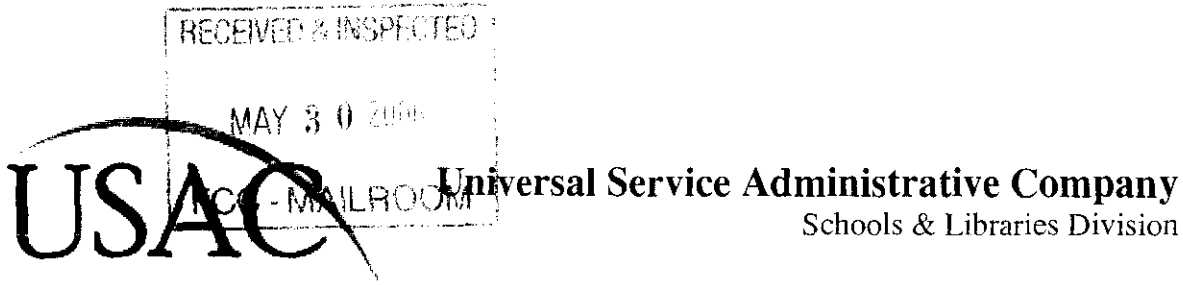
of the applicant to ensure that all Forms are submitted to SLD in a timely and correct manner. You have failed to provide evidence that SLD has erred in its decision on appeal.

- SLD denied your funding request(s) because it determined that your Form 470 Certification was not postmarked on or before the close of the filing window on February 4, 2005. Since you have failed to demonstrate that the Form 470 Certification was postmarked on or before February 4, 2005, your appeal is denied.
- The FCC requires all parts of an application to be postmarked by the final date of the filing window for the relevant funding year for the application to be treated as having been filed within the filing window. *See Request for Review by Alpine County Unified School District, et. al., Federal-State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association, Inc.*, CC Docket Nos. 96-45 and 97-21, Order, DA 02-75 ¶ 5 (rel. Jan. 14, 2002). This includes the Form 470 Certification, the Form 471 application, and the Form 471 Certification. If the Form 470 Certification is not postmarked by the final date of the filing window, that Form 470 cannot be used to establish the competitive bidding process for any funding requests that cite that Form 470.

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either the SLD or the FCC. For appeals that have been denied in full, partially approved, dismissed, or canceled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company



November 11, 2005

Jane B. Phinney
Ripton Elementary School
P.O. Box 155
753 Lincoln Road
Ripton, VT 05766

Jane B. Phinney:

The Schools and Libraries Division of the Universal Service Administrative Company has received your correspondence dated November 7, 2005, on November 9, 2005, regarding the **2005-2006** funding decision on your 471 application **456791**. These are the steps that will now follow:

1. We will review your correspondence carefully to identify the specific issue(s) it raises.
2. We will consult the program integrity assurance records and all supporting documentation for the application. Our goal is to determine whether the program rules were administered appropriately in processing your application.
3. Once the review process is completed we will respond in writing and state whether your appeal is approved, denied or approved in part. We will then follow with a funding commitment decision letter for any approved appeal resulting in additional discounts for your application. Funds have been set aside to implement funding decisions for appeals approved by the SLD and/or the Federal Communications Commission.

We have begun an in-depth review of the appeals we have received, and our goal is to respond to you as promptly as possible. We thank you in advance for your patience as we handle your case with the care and attention it deserves.

Schools and Libraries Division
Universal Service Administrative Company